

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 5, 6, and 9 are presently active in this case. Claims 2 and 9 are amended and Claims 3, 4, 7, and 8 are canceled without prejudice or disclaimer by the present amendment.

In the outstanding Office Action, Claim 9 was rejected under 35 U.S.C. § 112, second paragraph; Claims 1 and 5 were rejected under 35 U.S.C. §102(b) as anticipated by Bonzon (USP 3,051,266); and Claims 2, 6, and 9 were rejected under 35 U.S.C. §103(a) as unpatentable over Bonzon in view of Koppensteiner (USP 4,538,706).

Initially, Applicant and Applicant's representative gratefully acknowledge the courtesy of an interview with Examiner Pico and Supervisory Patent Examiner Cuomo on February 3, 2009. During the interview, differences between the claimed invention and references in the Office Action were discussed, and the examiners indicated that previously presented Claim 1 patentably defines over Bonzon and Koppensteiner. Comments discussed during the interview are reiterated below.

Regarding the rejection under 35 U.S.C. § 112, second paragraph, Claim 9 is amended to correct minor inconsistencies. Accordingly, it is respectfully requested the rejection of Claim 9 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Applicant respectfully traverses the rejection of Claims 1 and 5 under 35 U.S.C. §102(b) as anticipated by Bonzon.

Claim 1 is directed to an emergency brake device for an elevator. The device includes, in part, a brake body provided to a connecting body, and a gripper metal including an inclined portion caused to incline with respect to an outer periphery of a sheave. The brake body is meshed between the outer periphery of the sheave and the inclined portion

when the brake body is displaced in the rotation direction of the sheave. The brake body comes into contact with the inclined portion and with the outer periphery of the sheave and is meshed between the outer periphery of the sheave and the inclined portion, so that rotation of the sheave is braked.

As discussed during the interview, Bonzon fails to disclose or otherwise suggest each of the features of Claim 1. For example, Bonzon fails to disclose a brake body that comes into contact with the inclined portion and with the outer periphery of the sheave. Further, Bonzon fails to disclose a brake body that is meshed between the outer periphery of the sheave and the inclined portion.

Bonzon describes that “brake shoes 8 are mounted on supports 20 mounted on rollers 21 which engage stationary runways 22 having arcuate surface coaxial with the pulley 1...and the actuator rods 9 operate the shoes 8 between their applied and released positions through eccenter members 7.”<sup>1</sup> However, as discussed during the interview, Bonzon fails to disclose or otherwise suggest “the brake body comes into contact with the inclined portion and with the outer periphery of the sheave and is meshed between the outer periphery of the sheave and the inclined portion,” as recited in Claim 1.

Accordingly, Applicant respectfully submits that Claim 1 and claims depending therefrom patentably define over Bonzon.

Thus, it is respectfully requested the rejection under 35 U.S.C. § 102(b) as anticipated by Bonzon be withdrawn.

In addition, Applicant respectfully traverses the rejection of Claims 2, 6, and 9 under 35 U.S.C. § 103(a) as unpatentable over Bonzon and Koppensteiner.

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<sup>1</sup> Bonzon at column 4, lines 56-63.

Amended Claim 2 is directed to an emergency brake device according to Claim 1 wherein the brake body is a brake roller configured to rotate around a pin attached to the connecting body.

As discussed during the interview, Bonzon fails to teach or suggest a brake body that is a brake roller. Further, Koppensteiner fails to teach or suggest a brake roller that rotates around a pin attached to a connecting body.

Koppensteiner indicates a roller 8 moves within a portion 2 between a surface 7 and a leaf spring 10.<sup>2</sup> However, Koppensteiner fails to suggest that a brake roller rotates around a pin attached to a connecting body.

Accordingly, it is respectfully submitted that Claim 2 patentably defines over Bonzon and Koppensteiner for that distinct reason in addition to the reasons noted above with respect to independent Claim 1 from which it depends.

Amended Claim 9 is directed to an emergency brake device of Claim 1, wherein a space between the inclined portion and the outer periphery of the sheave becomes smaller with distance from a centerline of the brake body in first and second rotating directions of the sheave.

As noted above, Bonzon indicates that “stationary runways 22 having arcuate surface coaxial with the pulley 1.”<sup>3</sup> In other words, Bonzon suggests that a distance from all points along the upper surface of support 22 to the outer periphery of pulley 1 is the same. Accordingly, as discussed during the interview, Bonzon also fails to teach or otherwise suggest “a space between the inclined portion and the outer periphery of the sheave becomes smaller with distance from a centerline of the brake body in first and second rotating directions of the sheave,” as recited in Claim 9.

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<sup>2</sup> Koppensteiner at column 2, lines 32-35.

<sup>3</sup> Bonzon at column 4, lines 58-59, and Fig. 4.

As discussed during the interview, Koppensteiner also fails to teach or suggest the features lacking in the disclosure of Bonzon. Koppensteiner describes a brake shoe that is mounted on a guide rail of an elevator or a counterweight.<sup>4</sup> According to Koppensteiner, a roller 8 moves within a portion 2 between a surface 7 and a leaf spring 10.<sup>5</sup> However, as discussed during the interview, Koppensteiner also fails to teach or suggest “a space between the inclined portion and the outer periphery of the sheave becomes smaller with distance from a centerline of the brake body in first and second rotating directions of the sheave,” as recited in Claim 9.

Accordingly, Applicant respectfully submits that Claim 9 patentably defines over Bonzon and Koppensteiner, for that distinct reason in addition to the reasons noted above with respect to Claim 1.

Further, Claims 3, 4, 7, and 8, which were previously withdrawn from consideration as directed to a non-elected invention, are canceled to place this application in condition for allowance as suggested by the examiners during the interview.

Therefore, Applicant respectfully submits that Claims 1, 2, 5, 6, and 9 are allowable.

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<sup>4</sup> Koppensteiner at Abstract.

<sup>5</sup> Koppensteiner at column 2, lines 32-35.

Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Zachary S. Stern  
Registration No. 54,719